

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

v.

09-CV-6097L

\$937,983.07 SEIZED FROM T.D. WATERHOUSE
ACCOUNT NUMBER 399-03066-1-9, and

\$47,882.49 SEIZED FROM FIRST UNITED
BANK ACCOUNT NUMBER 240-020-8,

Defendants.

DEFAULT JUDGMENT AND ORDER OF FORFEITURE

The plaintiff, the United States of America, has moved for a Default Judgment pursuant to Federal Rules of Civil Procedure 55(b)(2), and for an Order of Forfeiture. After reviewing the affidavit of Assistant United States Attorney Christopher V. Taffe dated May 14, 2009, and, it appearing that no claimant has timely filed a Verified Claim and Answer in this action, as required by the Summons that was served upon them, as provided by Rule G(5) of the Supplemental Rules for Certain Admiralty and Maritime Claims and Asset Forfeiture Actions and Title 18, United States Code, Section 983(a)(4)(A) and, it appearing that an Entry of Default against the defendant properties has been entered in this action by the Clerk of the Court, and that the plaintiff is entitled to have a Judgment by Default entered, it is hereby



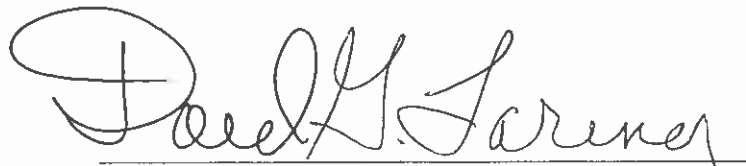
ORDERED, that Default Judgment be entered against the defendant properties; and it is further

ORDERED, that the defendant \$937,983.07 seized from T.D. Waterhouse account number 399-03066-1-9 and \$47,882.49 seized from First United bank account number 240-020-8 is forfeited to the United States of America pursuant to Title 18, United States Code, Section 981(a)(1)(A), and that the defendant properties shall be disposed of by the United States Marshals Service or any other authorized law enforcement officer according to law; and it is further

ORDERED, that any claims to the defendant properties are hereby forever barred; and it is further

ORDERED, that this action be and is hereby dismissed.

Dated: May 29, 2009, at Rochester, New York.

A handwritten signature in cursive script, reading "David G. Larimer". The signature is written in dark ink and is positioned above the printed name and title.

HONORABLE DAVID G. LARIMER
UNITED STATES DISTRICT JUDGE